



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Salt Lake Field Office

2370 South 2300 West

Salt Lake City, Utah 84119

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www.ut.blm.gov/saltlake_fo

IN REPLY REFER TO:

3600 (UTW011)

Certified Mail Number – 7008 3230 0002 7181 7049

Return Receipt Requested

Mr. Gary Burningham
95 North 200 East
American Fork, Utah 84003

RECEIVED

MAR 26 2012

DIV. OF OIL, GAS & MINING

MAR 23 2012

Dear Mr. Burningham:

On March 19, 2012, The Bureau of Land Management (BLM) received your Notice of Intention to Conduct Small Mining Operations on your Aluminum #3 A (UMC 417200) and Aluminum King #4 A (UMC 417201) mining claims located in Section 23, T. 8 S., R. 5 W., in Tooele County, Utah. Your application proposes to extract 3,000 tons of common clay shale for testing purposes. This activity would be subject to BLM's Mineral Materials Disposal Regulations at 43 CFR 3600. These regulations allow an applicant to conduct limited sampling and testing before the issuance of a sales contract. However, in this instance, due to the large size of the sample you are proposing, the BLM would instead require a mineral materials sale contract.

Please be aware that mineral materials related activities are a discretionary action by BLM and whether we agree to allow such activities at this location is dependent on whether or not it is conformance with our land use plan and avoids sensitive resources that may be present. A decision on whether BLM will permit a mineral materials sale at this location has not been made. You are not to perform any surface disturbing activity at this location until you receive notice that BLM has agreed to process a mineral materials sale.

Please also be aware that in addition to the cost of the material sold, BLM is required to charge applicants up front for the costs of processing activities related to sampling, testing, and mineral materials sales. You will also be required to submit a financial guarantee to cover BLM's cost of reclaiming your operation should you fail to do so.

In order for BLM to further evaluate your application and estimate our processing fees, please provide the following additional information:

1. A detailed map of the project area, at an appropriate scale on a topographic base, showing the location and dimensions of excavations, existing and proposed disturbed areas, road improvements, equipment and material staging areas, waste rock disposal areas, and access routes. The map you submitted does not include an appropriate amount of detail for BLM to evaluate your proposed activities and locate them on the ground. For example, your sketch map shows a 400' by 400' grid but it is not clear what the grid represents or exactly where it is located.

2. The type and size of vehicles you will use to transport the material offsite.
3. A reclamation plan. Include a description of the proposed manner and methods which you will use to complete the reclamation of the areas disturbed by your operation.

BLM cannot take any further action regarding your proposed activities until you submit the requested information. You are not authorized to engage in any of the activities described in your filing until you pay for all of BLM's processing costs up front, the appropriate level of environmental review under NEPA is completed, the BLM approves your plan, you provide the financial guarantee required, and BLM issues a sales contract.

Please submit the requested information within 60 days of receipt of this letter. If we do not receive the requested information in that timeframe, we will close the subject case file. If you have any questions, or require additional information, please feel free to contact Stephen Allen of my staff at (801) 977-4360.

Sincerely,

/S/ MICHAEL G. NELSON

Michael G. Nelson
Assistant Field Manager,
Nonrenewable Resources

cc: Jerry North, 2983 West 8025 South, West Jordan, UT 84088

UDOGM, Leslie Heppler, 1594 West No. Temple, Ste. 1210# Box 145801, SLC, UT 84114-5801